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C O N F I D E N T I A L BAGHDAD 000536

E.O. 12958: DECL: 02/27/2019

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SUBJECT: MOD HOSTS INAUGURAL HUMAN RIGHTS CONFERENCE

Classified By: Deputy Political Counselor Steve Walker for reasons
1.4(b) and (d).

¶1. (U) Summary: The Ministry of Defense's (MOD) first-ever conference on human rights on February 10 highlighted the actions the Ministry has undertaken to promote respect for human rights, including: education and training programs for soldiers; establishment of internal procedures to handle complaints and allegations of human rights abuses within the Ministry; and regular visits to MOD detention centers to ensure the humane treatment of detainees. In addition, MOD officials stressed the importance of having a civilian minister of defense in control of the nation's armed forces and emphasized the importance accorded to human rights by the military establishment and its code of conduct. In a follow-up meeting on February 23, the Ministry's Director of Human Rights expressed frustration with the low attendance at the conference but was hopeful that the MOD was moving in the right direction. End Summary.

¶2. (C) The Ministry of Defense's (MOD) inaugural human rights conference was held at MOD headquarters in Baghdad on February 10. Approximately 75 people attended the event, including Iraqi Army (IA) personnel, MOD employees, representatives from the British Embassy, the United Nations Assistance Mission for Iraq (UNAMI), Multi National Security Transition Command-Iraq (MNSTC-I) and PoLOffs. The conference was intended both to draw local and international attention to the Ministry's accomplishments in the field of human rights and to convey to IA commanders the importance the Ministry places on the subject. However, in a subsequent meeting on February 23, Iman Naji, head of the MOD's Human Rights Directorate lamented the low turnout and the absence of the Minister of Defense, who was originally slated to speak at the event and backed out at the last minute. Noting that this was "indicative" of many MOD employees' views towards human rights, she nevertheless remains optimistic that the Ministry is paying more attention to the subject and that awareness of the importance of human rights is increasing, if slowly.

¶3. (U) At the conference, Naji discussed various steps taken by the Ministry to ensure adherence to accepted international human rights standards. She noted her Directorate's focus on education and training to instill respect for human rights in soldiers and other Ministry employees. She predicted that as more soldiers adopt these values and visibly demonstrate greater sensitivity to human rights issues, the reputation of the IA as being respectful of Iraqi citizens, rights will improve. In addition, the MOD has established a hotline whereby complaints can be lodged and investigated. To date, 436 allegations have been received and are being looked into by the Ministry.

¶4. (C) Naji also discussed the role played by the Ministry in ensuring that all MOD detainees be treated humanely and in a manner consistent with applicable international human rights laws. The Ministry ensures that such detainees receive sufficient food, clean and sanitary accommodations, and regular access to family members and facilitates their release if and when it receives proper release orders. (Note: In a follow-up meeting on February 23, Naji told PoLOff that in some MOD facilities, close to 50% of the detainees have received properly executed release orders yet remain in MOD custody. "Only an order from Prime Minister Maliki would force the commanders to release them," she

stated. End note.) In closing, Najji touched on the importance of cooperation by and among the MOD and the other GOI agencies and institutions working in the field of human rights, among them the Ministry of Human Rights (MoHR), the Council of Representatives, Committee on Human rights and the High Judicial Council. In her estimation, this group has worked well together for the past four years, and Najji was hopeful that such interagency collaboration would continue in the future.

15. (U) Following this speech, the head of the Directorate's complaints and hotline department elaborated on the role of human rights within a properly functioning democracy. He noted four distinct elements that are central to the promotion of human rights in Iraq: the Constitution, which memorializes the country's separation of powers and contains various human rights guarantees for Iraqi citizens; state institutions such as the parliament, the Presidency Council, and the MoHR, which operate independent of one another; freedom of the press, which plays a key role in exposing human rights violations; and the MOD, which is under civilian control and constitutionally prohibited from having any role in a transfer of power from one government to the next. In addition, the director noted that a soldier may disobey a superior if ordered to commit an act contrary to the law (e.g., to kill a prisoner). In such a case, the offense would be reported to the Ministry for a full investigation into the incident, and if the commanding officer was found to be at fault, he/she would be prosecuted.

COMMENT

16. (C) In a surprising display of candor, MOD officials at the conference criticized the lack of attention paid to human rights within the Ministry and its organs. It is not often that we hear public self-criticism from MOD officials; conference attendees even discussed, in a negative light, the role played by the IA in the various coups d'etat which have marked almost every transfer of power in Iraq for the past century. Nor do we often see Ministry officials discussing the importance of maintaining civilian control over the military establishment. Yet regardless of the lip-service paid to human rights in public, Ministry officials tell a different story in private. The MOD's Director of Human Rights complained of ambivalence, disinterest and outright hostility by IA officials and others toward her Directorate. Additionally, despite constant engagement by USG officials and international organizations, hundreds of individuals with valid release orders remain in MOI custody at various detention facilities. While the conference was definitely a step in the right direction, the Ministry has a long way to go before it can be viewed as a defender of human rights.

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